IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FARAD CONTINUNATION SHEET
FIRST APPEAL ST.NO.10566 OF 1994

Office Notes,Office memorandum of Coram, appearances,Court's orders or directions & Registrar's orders.	Court's or Judge's orders

Mr.Y.M.Nakhawa,A.G.P. for State.

CORAM: A.S.OKA, J.
DATE : FEBRUARY 27,2007.

P.C.:

1. Appeal stands abated as against the Respondent Nos.3,5 and 8.

2. Heard learned A.G.P. for the Appellant. The challenge in the First Appeal is to the Judgment and Award dated 17th November 1993 passed under section 18 of the Land Acquisition Act,1894. Enhancement in market value is granted in favour of the Respondents who are the original claimants. The Appeal stands abated as against Respondent Nos.3,5 and 8. The impugned Judgment and Award proceeds on the ground which is common to all the Respondents/claimants. The Award has thus attained finality so far as Respondent Nos.3,5 and 8 are concerned. Therefore, the Appeal cannot proceed as against others as there cannot be two inconsistent Awards. Hence, Appeal cannot survive and the same is dismissed. No

order as to costs.

JUDGE